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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

ENRIQUE JEOVANNI ROSALES,

Defendant and Appellant.

H042888

(Monterey County  
Super. Ct. No. SS150562A)

Defendant Enrique Jeovanni Rosales appeals after the trial court reinstated his probation following a finding that he violated his probation. On appeal, defendant's appointed counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436.

***Background***

In May 2015, defendant pleaded no contest to receiving a stolen vehicle (Pen. Code, § 496d, subd. (a)).<sup>1</sup> In June 2015, the trial court suspended imposition of sentence and placed defendant on probation for three years with various terms and conditions, including that he obey all laws and that he not possess burglary tools.

In August 2015, notices of violation of probation were filed by the district attorney and the probation department. The district attorney also filed a supporting declaration. Defendant allegedly failed to obey specified laws, including Vehicle Code section 10851

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<sup>1</sup> All further statutory references are to the Penal Code unless otherwise indicated.

(unlawfully driving or taking a vehicle), and was allegedly in possession of burglary tools.

In September 2015, defendant pleaded no contest to unlawfully taking a vehicle with a prior conviction (Veh. Code, § 10851, subd. (a); § 666.5), and he was subsequently found in violation of probation in the instant case and in two other cases.

According to the probation officer's report, which was based on a report by law enforcement, defendant was driving a vehicle that had been reported stolen. After defendant stopped the vehicle, he provided a false name to law enforcement and admitted that he had a fake gun. He was also in possession of several shaved keys and had items such as a passport bearing the name of someone else.

On October 6, 2015, at a combined sentencing hearing, the trial court reinstated probation in the instant case under the original terms and conditions with no additional jail time.

### ***This Appeal***

On October 13, 2015, defendant filed a notice of appeal indicating that he was appealing from an order or judgment entered on October 6, 2015. We appointed counsel to represent him in this court. Appointed counsel has filed a brief in this court which states the case and facts but which raises no issues. We notified defendant of his right to submit written argument in his own behalf within 30 days. That period has elapsed and we have received no response from defendant. Pursuant to *People v. Wende, supra*, 25 Cal.3d 436 and *People v. Kelly* (2006) 40 Cal.4th 106, we have reviewed the entire record and have concluded that there is no arguable issue on appeal.

### **DISPOSITION**

The judgment is affirmed.

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BAMATTRE-MANOUKIAN, J.

WE CONCUR:

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ELIA, ACTING P.J.

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MIHARA, J.